

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

July 7, 2003

CALL TO PODIUM:

Fred Felton
Assistant City Manager

RESPONSIBLE STAFF:

Fred Felton
Assistant City Manager

AGENDA ITEM:
(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
	Historic District
	Consent Item
	Ordinance
	Resolution
	Policy Discussion
	Work Session Discussion Item
X	Other: Introduction

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

TITLE:

Introduction of an Ordinance to Repeal Chapter 18A of the City Code, Entitled "Smoking and Tobacco Products Placement" Section 18A-1 Through 18A-12 Inclusive Avenue

SUPPORTING BACKGROUND:

The Mayor and City Council held a public discussion concerning smoking laws on June 2, 2003. During the June 9, 2003 work session, the Mayor and City Council indicated that smoking laws should be uniform throughout the County and directed staff to prepare an ordinance to make the County smoking laws applicable within the City of Gaithersburg.

The agenda item immediately prior to this item was an ordinance to make the County smoking laws applicable within the City of Gaithersburg. If that ordinance is ultimately adopted by the Mayor and City Council, it will be necessary to repeal the City's existing smoking laws.

The attached ordinance repeals the existing Chapter 18A.

DESIRED OUTCOME:

Vote to introduce ordinance, and notify the public that the public hearing is scheduled for August 4, 2003.

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL CHAPTER 18A
ENTITLED "SMOKING AND TOBACCO PRODUCTS
PLACEMENT" SECTION 18A-1 THROUGH 18A-12 INCLUSIVE.

WHEREAS, Montgomery County, Maryland has enacted comprehensive legislation to regulate and control smoking and the use and placement of tobacco products; and

WHEREAS, the Mayor and City Council believe that it is in the best interests of the inhabitants of the City that controls and regulations pertaining to smoking and the use and placement of tobacco products are best established and enforced on a comprehensive, uniform basis; and

WHEREAS, the City desires that the local laws adopted by Montgomery County, Maryland on this subject be applied and enforced within the City limits.

NOW THEREFORE BE IT ORDAINED, by the Mayor and City Council of the City of Gaithersburg, Maryland in public meeting assembled that Chapter 18A, entitled "Smoking and Tobacco Products Placement" Sections 18A-1 through 18A-12, inclusive are hereby repealed.

ADOPTED this _____ day of _____, 2003 by the City Council of Gaithersburg, Maryland.

SIDNEY KATZ, MAYOR and
President of the Council

DELIVERED to the Mayor of the City of Gaithersburg, Maryland, this _____ day of 2003.
APPROVED by the Mayor of the City of Gaithersburg, this _____ day of _____, 2003.

SIDNEY KATZ, Mayor

THIS IS TO CERTIFY that the foregoing ordinance as adopted by the City Council of Gaithersburg, in public meeting assembled, on the _____ day of _____, 2003 and that the same was approved by the Mayor of City of Gaithersburg on the _____ day of _____, 2003. This Ordinance will become effective on the _____ day of _____, 2003.

David B. Humpton, City Manager